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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/050,841	03/30/1998	PATRICK JOSEPH CALLAGHAN	EN998017	7311

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0827.030
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EXAMINER

ELISCA, PIERRE E

ART UNIT PAPER NUMBER

3621

DATE MAILED: 12/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

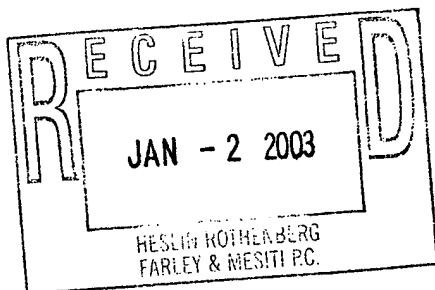
2 5 10 NVT 1

Reply

DOCKETED 2/28/03

req. Oral Hearing

DOCKETED 2/28/03





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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Paper No. 27

Application Number: 09/050,841

Filing Date: March 30, 1998

Appellant(s): Callaghan et al.

Kevin P. Radigan

For Appellant

Art Unit: 3621

EXAMINER'S ANSWER

This is in response to Appellant's supplemental appeal brief filed October 08, 2002.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

No amendment after final has been filed.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

Appellant's brief includes a statement that claims 1-7, 9-27 and 29-52 do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

Art Unit: 3621

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

WO98/09447	Rosenberg et al.	3/5/1998
5,796,952	Davis et al.	8/18/1998
5,946,665	Suzuki et al.	8/31/1999

<http://www.dejanews.com>, Forum:comp.lang.java.announce, Tread: add/soft/checkout-shopping cart applet, 8/8/1997, page 1.

A cookie for your thoughts: cookies help Webmasters harness user habits. (Internet /Web/Online service Information) Tutorial, Computer Shopper, v17, n7, p610 (1).

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-7, 9-27 and 29-52 rejected under 35 U.S.C. 103 (a). This rejection is set forth in prior Office Action, Paper No. 25.

(11) Response to Argument

In response to claims 1-7, 9-27 and 29-52, Applicant argues that the prior art of record taken alone or in combination do not teach or suggest: "an intermediary application. However, the Examiner respectfully disagrees because Davis discloses in col 4, lines 37-40 and lines 55-58, Fig 5, intermediary application, client, receives request from server A and transmits information to server B.

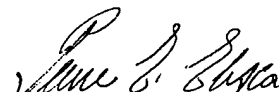
Applicant argues that Rosenberg does not teach amended claims of sharing state information between first and second domains wherein said domains having no knowledge of one another and wherein said non-cooperating

Art Unit: 3621

domains do not direct communicate state information between one another. The Examiner disagrees because Rosenberg teaches the sharing of information that is between distinct domains of network computers (page 4, lines 19-27, distinct domains. Furthermore, Rosenberg's reference to cooperating server on page 3, lines 30-31, and therefore, it intended to refer to Web site servers that observe the common protocol. In the World Wide Web, it is obvious to recognize that servers use the common protocol across distinct domain if information is to transfer from one server to the other, even servers across domain that are not cooperating to each other still needs to use common protocol in order to share information.

Applicant argues that Davis does not teach the limitation of "disposed between a client and a server to receive transmissions exchanged between the client and the server". Davis teaches client information that is captured and transmitted to a second server (see., Fig 6, items s607A).

For the above reasons, it is believed that the rejections should be sustained.


Pierre Eddy Elisca

December 18, 2002


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Respectfully Submitted,


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